

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:22-CR-00117-RJC-DCK

USA

v.

ERNEST HESTER (1)

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant pro se for a reduction of sentence based on Amendment 821 to the United States Sentencing Guidelines. (Doc. No. 35).

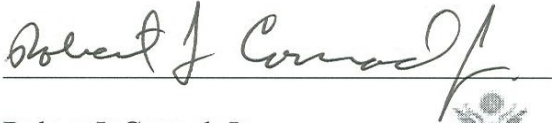
The defendant served his original term of imprisonment and began his original term of supervised release on June 26, 2020. (Doc. No. 2: Petition at 1). When the defendant admitted he violated his conditions, the Court revoked his supervised release and imposed a revocation sentence of 15 months' imprisonment followed by 2 years' supervised release. (Doc. No. 19: Revocation Judgment at 2-3). The defendant served the revocation term of imprisonment and began the revocation term of supervised release on October 13, 2023. (Doc. No. 20: Petition at 1). He is now detained pending resolution of alleged violations of his conditions. (Doc. No. 27: Detention Order).

In the instant motion, the defendant seeks early termination of his revocation supervised release term based on how Amendment 821 would have lowered his original term of imprisonment. (Doc. No. 35: Motion at 3). However, the Court is not authorized to reduce a revocation sentence pursuant to the Amendment. USSG

§1B1.10(a), comment. (n.8); accord United States v. Rufus, No. 24-6623,2024 WL 3770505, slip op. at \*1 (4th Cir. Aug. 13, 2024) (affirming denial of revocation sentence reduction).

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

Signed: January 6, 2025

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.  
United States District Judge

